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OFFICE OF PETITIONS

In re Application of

HERMANN, et al.

Application No. 10/664,273

Filed: September 16, 2003

Attorney Docket No. 506512002000

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed June 23, 2006.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Tomas E. Ciotti on behalf of all attorneys of record. All attorneys/agents associated have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

The request to change the correspondence of record is not acceptable as the requested correspondence address is not that of: (1) the first named signing inventor; or (2) an intervening assignee of the entire interest under 37 C.F.R. 3.71. Novare Surgical Systems, Inc. properly intervened on September 13, 2003. All future communications from the Office will be directed to Novare Surgical Systems, Inc. at the first copied address below until otherwise properly notified by the applicant.

There is an outstanding Office action mailed June 6, 2006 that requires a reply from the applicant. Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

Monica A. Graves
Petitions Examiner
Office of Petitions

cc: **Novare Surgical Systems, INC.**
10231 Bubb Road
Cupertino, CA 95014

cc: George A. Coury
BACKMAN & LAPOINTE, PC
900 Chapel Street, Suite 1201
New Haven, CT 06510

cc: **Vitalitec International, Inc.**
10 Cordage Park Circle, Suite 100
Plymouth, Massachusetts 02360